



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,342	04/19/2004	Yoshinobu Tanaka	042336	9476
38834 7590 10/30/2007 WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036			EXAMINER SMITH, JEFFREY S	
			ART UNIT 2624	PAPER NUMBER
			MAIL DATE 10/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/826,342

Applicant(s)

TANAKA ET AL.

Examiner

Jeffrey S. Smith

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 3,6-8 and 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,9 and 11-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 07/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Requirement For Information

Applicant's response that no Office action has been issued in the corresponding Japanese application is appreciated. The requirement to disclose each rejection made by the Japanese Patent Office continues until the issue fee is paid. Therefore, in response to this action, please indicate whether any rejections have been made in the corresponding Japanese application. If so, please submit a copy of the Japanese rejection and English language translations of both the rejection and the portions of each reference relied on by the Japanese Examiner in the rejection. Also, if a Japanese rejection was made and applicant subsequently amended the claims, please submit an English language translation of the amended claims.

This information is relevant to patentability. This requirement is an attachment of the enclosed Office action. A complete reply to the enclosed Office action must include a complete reply to this requirement. The time period for reply to this requirement coincides with the time period for reply to the enclosed Office action. Applicant is reminded that failure to fully reply to this requirement for information will result in a holding of abandonment.

Election/Restrictions

Claims 3, 6-8 and 10 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected inventions, there being no allowable

generic or linking claim. Election was made **without** traverse in the reply filed June 1, 2007.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-2, 4-5, 9 and 11-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

For claim 1, the phrase "wherein said second resizing means is formed so as to acquire image data of adjacent block from said line storage means" is unclear. What is "adjacent block" and how is it related to the other claim elements. Also, the line storage means only stores one line of horizontal image data, yet the second resizing means acquires "image data" from the line storage means.

For claim 4, during the "thinning out," what is being thinned out?

For claim 5, the added average is based on an added average of what?

For claim 9, the term "line storage means is capable of storing image data corresponding to one line in the first direction of the image data resized at said first

resizing means" is very similar to the term "line storage means capable of storing at least data corresponding to one line along the first direction of the image data outputted from the first resizing means" found in claim 1. If these two phrases have the same meaning, what is the purpose of repeating it in claim 9? If these two phrases have different meanings, the differences need to be clarified explicitly in the claims.

For claims 11-13, the phrases that include "through resizing means capable of causing the resizing ... to be through without a processing operation" make no sense.

For claim 14, what is "a capacity," and how does the capacity correspond to a display region?

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-5, 9 and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication Number 2002/0122198 filed by Tsue et al. ("Tsue) in view of U.S. Patent Number 6,094,226 issued to Ke et al. ("Ke").

For claim 1, the preamble is not given patentable weight. The first and second resizing means and the line storage means recite only "image data." Although the last clause of claim 1 recites "adjacent block," this term is vague and unrelated to "image data" recited in the previous elements. Nevertheless, in order to advance prosecution,

a plurality of blocks will be addressed in the prior art. However, if applicant desires the preamble to be part of the claim, applicant should amend the claim elements to include the elements from the preamble. Until then, the preamble is not given weight.

For claim 1, Tsue processes blocks of pixels (paragraph 51) and in figure 1 shows a first resizing means for resizing said image data in a first direction (x direction enlargement); a line storage means capable of storing at least image data corresponding to one line along the first direction of the image data outputted from the first resizing means (m2 line portion image shift buffer); a second resizing means for resizing the image data outputted from said first resizing means in a second direction intersecting the first direction (y direction enlargement).

Tsue does not explicitly disclose that the second resizing means acquires image data of adjacent block from said line storage means.

Ke discloses that "Line buffer 232 provides a vertically adjacent pixel value (yp) to vertical scaling block 234" (col. 5 lines 28-55). It would have been obvious to one of ordinary skill in the art at the time of invention to store a line of vertically adjacent pixels from a vertically adjacent block in the line storage means of Tsue for the purpose of improved scaling of the image as taught by Ke in the abstract.

For claim 2, Tsue discloses a decoding means for decoding compressed and encoded image data block by block, the image data decoded at the decoding means being subjected to the resizing (paragraph 64).

For claim 4, Ke discloses "a thinning out in the first direction" in col. 5 lines 8-15.

For claim 5, Ke discloses "an added average in the first direction" in col 5.

For claim 9, Ke discloses "2-point interpolation in the second direction" in col 5 lines 28-42.

For claims 11-13, every resizing requires a processing operation. These resizing elements are shown in both Tsue and Ke.

For claim 14, Tsue discloses that the line storage means has a capacity corresponding to a display region of an external display apparatus (printers 3a-3c).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey S. Smith whose telephone number is 571 270-1235. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on 571 272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

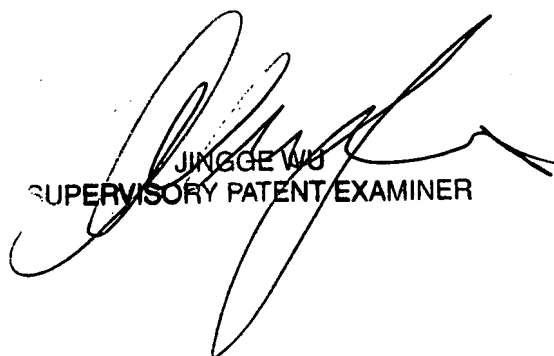
Application/Control Number: 10/826,342

Page 7

Art Unit: 2624

JSS

October 25, 2007


JINGGE WU
SUPERVISORY PATENT EXAMINER